

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/819,148, filed on 03/27/2001,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one Wen-Lin Kuo Date: 8/2/01
Signature: [Signature] Citizen of: U.S.A.

Inventor two Daniel Polikoff Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor three Daniel Pinkel Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor four Donna Albertson Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor five Andy Berchuk Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor six Joe Gray Date: _____
Signature: _____ Citizen of: U.S.A.

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FULL NAME OF INVENTOR(S)

Inventor one Wen-Lin Kuo Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor two Daniel Polikoff Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor three Daniel Pinkel Date: Aug 23, 2001
Signature: _____ Citizen of: U.S.A.

Inventor four Donna Albertson Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor five Andy Berchuk Date: _____
Signature: _____ Citizen of: U.S.A.

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Inventor two Daniel Polikoff Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor three Daniel Pinkel Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor four Donna Albertson Date: 16 Aug, 2001
Signature: Donna Albertson Citizen of: U.S.A.

Inventor five Andy Berchuk Date: _____
Signature: _____ Citizen of: U.S.A.

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Inventor four Donna Albertson Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor five Andy Berchuk Date: 8/17/01
Signature: [Signature] Citizen of: U.S.A.

Inventor six Joe Gray Date: _____
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Signature: _____ Citizen of: U.S.A.

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Signature: _____ Citizen of: U.S.A.

Inventor four Donna Albertson Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor five Andy Berchuk Date: _____
Signature: _____ Citizen of: U.S.A.

Inventor six Joe Gray Date: 3 Aug 01
Signature: _____ Citizen of: U.S.A.

ASSIGNMENT

U.C. Case No. 2001-355

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

- | | |
|--------------------|--------------------|
| 1. Daniel Polikoff | 2. Wen-Lin Kuo |
| 3. Daniel Pinkel | 4. Donna Albertson |
| 5. Andy Berchuk | 6. Joe Gray |

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin St., 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

METHODS FOR DIAGNOSING AND MONITORING MALIGNANCIES BY SCREENING GENE COPY NUMBERS

and which is found in

- (a) _____ U.S. provisional application filed herewith and listing the above-named persons as inventors
- (b) _____ U.S. patent application filed herewith and listing the above-named persons as inventors
- (c) X _____ U.S. application serial no. 09/819,148, filed on 03/27/2001
- (d) _____ U.S. Patent No.: _____, issued _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

_____ day of _____, 2001

_____ day of _____, 2001

_____ day of _____, 2001

Signature of Inventor(s)

DANIEL POLIKOFF

WEN-LIN KUO

DANIEL PINKEL

TTC Attorney Docket No. 0203070-117500US

U.C. Case No. 2001-355

Page 2 of Assignment for

Methods for Diagnosing and Monitoring Malignancies by Screening Gene Copy Numbers

____ day of _____, 2001

DONNA ALBERTSON

____ day of _____, 2001

ANDY BERCHUK

____ day of _____, 2001

JOE GRAY

SF 1252035 v1

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